

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**ORDER NO. R9-2002-0310
ADMINISTRATIVE ASSESSMENT OF CIVIL LIABILITY WITH
MANDATORY MINIMUM PENALTIES
AGAINST THE CITY OF CORONADO – GLORIETTA BAY PUMP STATION
CONSTRUCTION DEWATERING FOR
VIOLATION
OF
ORDER NO. 2000-90, NPDES PERMIT NO. CAG919001**

The San Diego Regional Water Quality Control Board (hereafter Regional Board), having held a public hearing on October 9, 2002, to hear evidence and comments on the allegations contained in Complaint No. R9-2002-0206, dated August 1, 2002, and on the recommendation for administrative assessment of Civil Liability pursuant to California Water Code section 13385, in the amount of \$39,000 finds as follows:

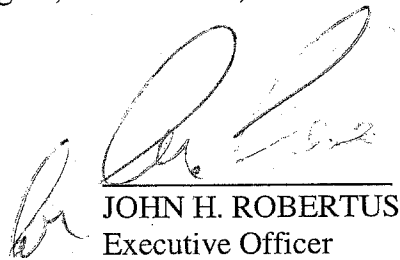
1. On June 14, 2000, the Regional Board adopted Order No. 2000-90, NPDES Permit No. CAG919001, *General Waste Discharge Requirements For Temporary Groundwater Extraction And Similar Waste Discharges to San Diego Bay And Storm Drains Or Other Conveyance Systems Tributary Thereto*. The City of Coronado was issued waste discharge requirements pursuant to Order No. 2000-90 on May 11, 2001 for the Glorietta Bay Pump Station Construction Dewatering located in Glorietta Bay, Coronado, California. The extracted groundwater is conveyed to temporary pipes across the site and discharged directly to San Diego Bay.
2. The City of Coronado's Self Monitoring Reports (SMRs) for the period from January 2002 through June 2002 indicate thirteen sampling results in violation of Order No. 2000-90's Discharge Specifications. These violations are summarized in Attachment 1 - *Violation Summary for Glorietta Bay Pump Station Construction Dewatering*.
3. Under California Water Code sections 13385(h and i), thirteen violations are subject to mandatory minimum penalties.
4. The total amount of the mandatory minimum penalty is \$39,000.
5. Consideration of the factors prescribed in California Water Code Section 13385(e) based upon information available to the Regional Board prior to the hearing and described in greater detail in Complaint No. R9-2002-0206 supports assessment of civil liability pursuant to Water Code section 13385(h and i) in the amount of \$39,000 as detailed in Attachment 1.

Administrative Civil Liability with Mandatory Minimum Penalties**The City of Coronado – Glorietta Bay Pump Station Construction Dewatering**

6. The Regional Board incurred costs totaling \$6,000, which includes investigation, preparation of enforcement documents, and communication with the discharger.
7. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED that pursuant to section 13385 of the California Water Code, civil liability is imposed on the City of Coronado in the amount of thirty nine thousand dollars (\$39,000) and that the rationale for the assessment contained in Complaint No. R9-2002-0206 is hereby incorporated into this Order.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order imposing civil liability assessed by the California Regional Water Quality Control Board, San Diego Region, on October 9, 2002.



JOHN H. ROBERTUS
Executive Officer
October 9, 2002

**Violation Summary for Glorietta Bay Pump Station Construction Dewatering
 January 2002 through June 2002**

<u>Date of Violation</u>	<u>Violation</u>	<u>Permitted Limit</u>	<u>Reported Value</u>	<u>Pollutant Category</u>	<u>Ratio, Reported: Permitted</u>	<u>Serious/Chronic</u>	<u>Water Code Section 13385</u>	<u>Penalty</u>
1/16/2002	Total Coliform instantaneous max.	1000 MPN/100mL	>1600 MPN/100mL	N/A	N/A	Chronic	(i)	\$0
1/16/2002	TSS 30-day average	30 µg/L	35 µg/L	1	1.2	Chronic	(i)	\$0
1/16/2002	Copper instantaneous max.	4.8 µg/L	42 µg/L	2	8.8	Serious	(h)(1)	\$3,000
2/5/2002	Total Coliform instantaneous max.	1000 MPN/100mL	1600 MPN/100mL	N/A	N/A	Chronic	(i)	\$3,000
2/12/2002	Copper instantaneous max.	4.8 µg/L	45.4 µg/L	2	9.5	Serious	(h)(1)	\$3,000
3/5/2002	Fecal Coliform instantaneous max.	200 MPN/100mL	900 MPN/100mL	N/A	N/A	Chronic	(i)	\$3,000
3/5/2002	Copper instantaneous max.	4.8 µg/L	28.1 µg/L	2	5.9	Serious	(h)(1)	\$3,000
3/19/2002	Copper instantaneous max	4.8 µg/L	37.7 µg/L	2	7.9	Serious	(h)(1)	\$3,000
3/19/2002	Zinc instantaneous max	90 µg/L	120 µg/L	2	1.3	Serious	(h)(1)	\$3,000
3/28/2002	Chronic Toxicity - Echinoderm	1 TUc	>16 TUc	N/A	N/A	Chronic	(i)	\$3,000
3/28/2002	Chronic Toxicity - Echinoderm	1 TUc	8 TUc	N/A	N/A	Chronic	(i)	\$3,000
4/2/2002	Copper instantaneous max	4.8 µg/L	8.66 µg/L	2	1.8	Serious	(h)(1)	\$3,000
4/15/2002	Copper instantaneous max	4.8 µg/L	33 µg/L	2	6.9	Serious	(h)(1)	\$3,000
4/15/2002	Hydrogen Sulfide instantaneous max.	10 µg/L	270 µg/L	1	27	Serious	(h)(1)	\$3,000
4/15/2002	Hydrogen Sulfide daily max.	4 µg/L	270 µg/L	1	67.5	Serious	(h)(1)	\$3,000

Total Penalty: \$39,000

Ratio, Reported:Permitted is used for determining whether a violation is serious or chronic based on the category of the pollutant.